



# Austin City Council MINUTES

REGULAR MEETING  
THURSDAY, APRIL 9, 1998

Mayor Watson called the meeting to order, noting the temporary absence of Councilmembers Goodman, Lewis and Spelman.

1. Approval of Minutes for Regular Meetings of March 25 & 26, 1998  
**Postponed**

## CITIZEN COMMUNICATIONS: GENERAL

2. Richard Knowlton, to discuss public safety concerns.  
**Absent**
3. Gus Pena, to discuss health clinics and City of Austin issues.
4. Richard Troxell, to discuss homeless issues in Austin.
5. Joyee Goodall, to discuss school road construction.
6. Leonard Lyons, to discuss RFP process.
7. Dodie Simmons, to discuss school road construction.  
**Absent**
8. Dona Taylor, to discuss school road construction.
9. Christopher J. Dwight, to discuss school road construction.
10. Abelardo Arredondo, to discuss school road construction.
11. Kirk Becker, to discuss broken windows.

## READING OF CONSENT AGENDA

## READING OF DISCUSSION AGENDA

## CITIZEN COMMUNICATIONS: CONSENT AGENDA

## ACTION ON CONSENT AGENDA

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve a resolution authorizing execution of a contract with AUSTIN BRIDGE AND ROAD, Austin, Texas, for the Construction of the Fixed Base Operator Apron at Austin-Bergstrom International Airport, New Airport Project Team Contract, in the amount of \$5,384,430 plus a contingency fund of \$538,443, for a total contract amount of \$5,922,873. (Funding was included in the 1997-98 Amended Capital budget of the Aviation Department.) Single bid. DBE Subcontractor Participation: 33.72% (22.23% MBE, 11.49% WBE). [Recommended by Airport Advisory Board] (Continued from March 26, 1998)

**Resolution No. 980409-12 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

13. Approve a plan to reconstruct the intersection at North Loop and Burnet. (Councilmembers Jackie Goodman and Daryl Slusher) [Continued from March 26, 1998]

**Motion to approve new neighborhood design on Councilmember Goodman's motion, Councilmember Griffith's second,**

**Friendly amendment by Councilmember Spelman to approve neighborhood design for North Loop and modified staff design for Burnet.**

**Friendly amendment accepted by maker and seconder.**

**Substitute motion to adopt the modified staff design on Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 3-4 vote, Councilmembers Goodman, Griffith, Lewis and Spelman voting "NO".**

**Motion fails.**

**Main motion approved 6-1 vote, Mayor Watson voting "NO".**

14. Discuss negotiation and execution of a twelve month contract with GOGGIO & ASSOCIATES, INC., San Francisco, CA 94103, to serve as interim project director and assist in implementation of the audit recommendations for the Health Department's Federally Qualified Health Center (FQHC) Clinics, in an amount not to exceed \$628,060, with two twelve month extension options in an amount not to exceed \$350,000, per extension, for a total contract amount not to exceed \$1,328,060. (Funding will be included in the 1997-98 Amended Operating Budget of the Federally Qualified Health Center. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of seven. No M/WBE Subcontracting opportunities were identified. (Time Certain: 6:15 p.m.)

**Action will be taken in one week**

15. Discuss amending Ordinance No. 970917-A, the 1997-98 Operating Budget for the Health and Human Services Department, by:1) Increasing revenue in the Health and Human Services Department Disproportionate Share Fund in the amount of \$911,465;2) Transferring \$628,000 from

the Health and Human Services Department Disproportionate Share Fund to the Federally Qualified Health Center Fund; and 3) Increasing Operating Expenditures in the Federally Qualified Health Center Fund by \$628,000 to fund the first year of a management services contract for the Health and Human Services Department's primary care clinic system. (\$911,465 in additional revenue is anticipated in the Medicaid Disproportionate Share Fund due to an increase above the previously anticipated level in the to and appropriated from the Federally Qualified Health Center Fund.) [Time Certain: 6:15 p.m.]

**Action will be taken in one week**

16. Discuss the Memorandum of Understanding among the City of Austin, Travis County, and the Federally Qualified Health Clinic (QHC) Board, designating the proposed clinic management contractor as interim project director of the Federally Qualified Health Centers. (Time Certain 6:15 p.m.)

**Action will be taken in one week**

### Health and Human Services

17. Approve a resolution authorizing negotiation and execution of twelve month contracts for the Elderly Services Program with FAMILY ELDERCARE, INC., Austin, Texas for guardianship and money management services, in-home and respite care, and emergency shelter, in an amount not to exceed \$75,000; and with SOUTHWEST KEY PROGRAM/AGING IN PLACE, Austin, Texas, for case management services, in an amount not to exceed \$25,000 with two twelve month extension options in amounts not to exceed \$75,000 and \$25,000 respectively per extension, for a total contract amounts not to exceed \$225,000 and \$75,000 respectively. (Funding was included in the 1997-98 Community Development Block Grant (CDBG) Special Revenue Fund. Funding for the extension options is contingent upon available funding in future budgets.) Best proposals of eight. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980409-17 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

18. Approve a resolution authorizing execution of Change Order #6 to the construction contract with BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, to incorporate a new vestibule and automatic doors at the South Austin Neighborhood Center, adjoining the South Austin Clinic, as a part of the Rosewood Zaragosa and South Austin Clinics Additions and Renovations project, in the amount of \$37,629, for a total contract amount not to exceed \$2,278,752. (Funding was included in the 1997-98 Amended Capital budget of the Public Works and Transportation Department.) 33.92% MBE, 2.27% WBE Subcontractor participation.

**Resolution No. 980409-18 approved**

19. Approve a resolution authorizing Interlocal Cooperative Agreement with the University of Texas at Austin to provide faculty, research assistant, and intern practice site for transition support of female refugees and their families, in the amount of \$17,561. (Funding is available from a Texas Department of Health grant for refugee health screening.)

**Resolution No. 980409-19 approved**

Items 18 and 19 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

#### Information Systems

20. Approve a resolution authorizing execution of a twelve month service agreement with KENT DATACOMM, INC., Austin, Texas, to provide maintenance for Cabletron Telecommunications equipment in an amount not to exceed \$59,048.88 with an option to extend for up to four additional twelve month periods in amounts not to exceed \$62,001.32, \$65,101.39, \$68,356.46, \$71,774.28 respectively, for a total contract amount not to exceed \$326,282.33. (Funding in the amount of \$29,544.24 was included in the 1997-98 operating budget of the Information Systems Office. Funding for the remaining six months and the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980409-20 approved on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Slusher off the dais.

#### Finance and Administrative Services

21. Approve a resolution authorizing execution of a contract with PROFESSIONAL TURF PRODUCTS OF TEXAS, INC., San Antonio, Texas, for the purchase of one riding rotary mower to be used by the Parks Department, in the amount of \$49,787. (Funding was included in the 1997-98 Vehicle Acquisition Fund.) Sole source. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980409-21 approved

#### Parks and Recreation

22. Approve an ordinance authorizing acceptance of \$3,000 in grant funds from the Audubon Council of Texas for field monitoring of golden-cheeked warblers; amend Ordinance 970917-A, the 1997-98 Operating Budget, amending the Special Revenue Fund for the Parks and Recreation Department by appropriating \$3,000 in grant funds. (A City match is not required.)

Ordinance No. 980409-A approved

23. Approve an ordinance authorizing acceptance of \$6,000 in grant funding from the National Senior Citizens Education and Research Center, Inc. for community service assignments and training; amend Ordinance 970917-A, the 1997-98 Operating Budget Special Revenue Fund of the Parks and Recreation Department, by appropriating an additional \$5,645, for a total amount of \$290,645. (A City match in the amount of \$762 is required and available in the 1997-98 operating budget.)

Ordinance No. 980409-B approved

Items 21 through 23 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

## Watershed Protection

24. Approve a resolution authorizing execution of a construction contract with PREMIUM CUTS, L. S. & M, INC., (MBE/MH), Austin, Texas, for the construction of seven erosion control projects at the following sites on Little Walnut Creek: Quail Valley Boulevard at Quail Ridge Drive; Mearns Meadow Boulevard at Quail Valley Road; Mearns Meadow Boulevard at Mountain Quail Drive; Stonebridge Drive at Parkfield Drive; Collinfield Drive at the creek; Thurmond Street at the creek; and Aberdeen Way at Rundberg Lane, in the amount of \$436,988.50 plus \$65,548.28 to be used as a contingency fund for change orders, for a total contract amount not to exceed \$502,536.78. (Funding was included in the 1992 Capital budget of the Watershed Protection Utility.) Low bid of three. 91.37% MBE Prime participation. 0% MBE, 8.63% WBE Subcontractor participation. (Recommended by Environmental Board)  
**Resolution No. 980409-24 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.**
25. Approve a resolution authorizing execution of a twelve month supply agreement with GIFFORD-HILL & COMPANY, INC., Dallas, Texas, for the purchase of reinforced concrete pipe used in the repair and replacement of parts of the City's storm sewer drainage system, in an amount not to exceed \$60,700 with two twelve month extension options in an amount not to exceed \$60,700 per extension, for a total amount not to exceed \$182,100. (Funding in the amount of \$30,350 was included in the 1997-98 operating budget of the Drainage Utility. Funding for the remaining six months and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980409-25 approved**
26. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with Williamson County for the Lake Creek floodplain improvements, providing additional funding for the preparation of Floodplain Modification Guidelines, in an amount not to exceed \$25,000. (Funding is available in the 1996-97 Amended Capital budget of the Watershed Protection Department.)  
**Resolution No. 980409-26 approved**

## Infrastructure Support Services

27. Approve an ordinance changing the street name for a portion of MORDRED LANE TO BACK BAY COURT (from the intersection of Mordred Lane and Back Bay Lane easterly to the end of the right-of-way, approximately 150 feet) as requested by abutting property owners. (The \$415 processing fee and \$100 street sign cost have been paid by requester.)  
**Ordinance No. 980409-C approved**
28. Approve a resolution authorizing annexation by Moore's Crossing Municipal Utility District (MUD) of a tract of approximately 18 acres (Lot 1, James Galloway Subdivision No. 1) owned by SR Development, Inc. located near the intersection of FM 973 and Elroy Road. (No fiscal impact.) [Recommended by Water and Wastewater Commission]  
**Resolution No. 980409-28 approved**

## Public Works

29. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Public Works and Transportation Department, by appropriating \$142,492; authorize negotiation and execution of an Interlocal Agreement with the Texas Department of Transportation for implementation of a sidewalk project on 45<sup>th</sup> Street from Guadalupe Street to Airport Boulevard, which was approved by the Austin Transportation Study Policy Advisory Committee, in the amount of \$178,114. (Funding in the amount of \$142,492 is available through periodic billing of the State as work is completed; \$36,334 was included in the 1997-98 Capital budget of the Public Works and Transportation Department.)  
**Ordinance No. 980409-D approved**
30. Approve a resolution authorizing acceptance and execution of contracts with the Texas Department of Transportation utilizing Federal Surface Transportation Program funding in the amount of \$220,000 to conduct two projects approved by Austin Transportation Study Policy Advisory Committee, one project for arterial congestion/incident management in the amount of \$165,000 and one project for traffic signal synchronization, in the amount of \$110,000, for a total amount of \$275,000. (Funding in the amount of \$220,000 is available in Federal STP funding. A City match in the amount of \$55,000 is available in the 1997-98 amended Capital budget.)  
**Resolution No. 980409-30 approved**
31. Approve a resolution authorizing execution of a contract with AUSTIN TRUCK & EQUIPMENT, INC., dba FREIGHTLINER OF AUSTIN, Austin, Texas, for the purchase of one implement haul trailer used in construction and maintenance of streets and roadways, in the amount of \$41,777. (Funding was included in the 1997-98 operating budget of the Transportation Fund.) Low bid of five. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980409-31 approved**
32. Approve a resolution authorizing fee simple acquisition of 2.338 acres of right-of-way for street purposes out of a portion of three tracts totaling 13.551 acres of land in the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, owned by Capital Area Youth Soccer Association, for the East William Cannon Drive Project from Pleasant Valley Road to Scenic Loop, in the amount of \$79,300. (Funding was included in the 1991-92 Capital budget of the Public Works and Transportation Department.)  
**Resolution No. 980409-32 approved**
33. Approve a resolution authorizing ratification of a contract with RAILROAD SIGNAL, INC., Tulsa, Oklahoma, for signal repairs to the City's Llano-to-Giddings Railroad, in an amount not to exceed \$275,000. (Funding was included in the 1997-98 Amended Capital budget of the Public Works and Transportation Department.)  
**Resolution No. 980409-33 approved**

Items 25 through 33 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

## Fire

34. Approve a resolution authorizing fee simple acquisition of .99 acres of land out of the San Antonio and Mexican Gulf Railroad Survey #800, Abstract #748, and the William Frampton Survey #122, Travis County, Texas, located at the intersection of Anderson Mill Road and Swan Drive Austin, Texas, owned by Bethany United Methodist Church, for the proposed Fire and Emergency Medical Services Station at Anderson Mill, in the amount of \$203,000. (Funding was included in the 1997-98 Capital budget of the Fire Department.)  
**Resolution No. 980409-34 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.**

## Police

35. Approve an ordinance authorizing a revised application and acceptance of \$1 million in grant funding from the United States Department of Justice, Office of Community Policing Services (COPS) for advanced community policing projects; amend Ordinance 970917-A, the 1997-98 Operating Budget, amending the Austin Police Department Special Revenue Fund, by increasing grant funding and grant expenditures by \$1 million and adding seven full-time equivalent positions (FTEs) and twenty part-time police cadet intern positions.  
**Ordinance No. 980409-E approved**
36. Authorize application and acceptance of a grant application for \$850,419 in grant funding from the U.S. Department of Justice, Office of Justice Programs, Grants to Encourage Arrest Policies, Violence Against Women Programs to continue and enhance the Austin/Travis County Family Violence Protection Team by requesting three full-time equivalent positions (FTEs) for the Austin Police Department and increasing funding to participating agencies.) [A City match is not required.]  
**Approved**
37. Approve a resolution authorizing negotiation and execution of a twenty-six month lease for 3,176 square feet of office space located at 4930 South Congress, Suite C, 302 from 4930 South Congress Avenue, Ltd., for use by the Police Department's new Citizen's Academy for the Problem Solving and South Austin Crime Prevention Unit, in the amount of \$60,979. (Funding is available in the 1997-98 amended operating budget of the Police Department.)  
**Resolution No. 980409-37 approved**

## Solid Waste Services

38. Approve a resolution authorizing application for a United States Environmental Protection Agency Brownfields Assessment Demonstration Pilot grant. (No fiscal impact.) [To be reviewed by Solid Waste Advisory Commission April 8, 1998]  
**Resolution No. 980409-38 approved**

### City Clerk

39. Amend Ordinance 970917-A, the 1997-98 Operating Budget, by increasing revenue in the Support Services Fund, increasing appropriations for the Office of the City Clerk by \$173,993 for expenditures associated with the May 2, 1998 election. (Funding is available from Austin Independent School District and Barton Springs/Edward Aquifer Conservation District.)  
**Ordinance No. 980409-F approved**

### Convention Center

40. Amend Ordinance No. 970917-A, amending the 1997-98 Operating Budget for the Convention Center Department by increasing appropriations by \$103,286 in the Operating Fund and decreasing the unreserved fund balance by \$103,286 for the funding of the May 2, 1998 Election.  
**Ordinance No. 980409-G approved**

### Annexation

41. Amend Ordinance 970917-A, 1997-98 Operating Budget of the Solid Waste Services Department, by increasing budgeted revenue by \$122,000 and budgeted expenditures by \$285,300 and decreasing the budgeted ending balance by \$163,300 to \$3,286,246, and authorizing an additional two full-time equivalents (FTEs) related to additional work associated with annexation, and four full-time equivalents related to the Brush Processing Center.  
**Postponed to April 16, 1998**
42. Amend Ordinance No. 970917-A , the 1997-98 Operating Budget of the General Fund by: Increasing budgeted revenue to recognize annexation related revenue of \$5,378,041 from the following sources: Property tax (\$2,282,015), MUD Cash balances (\$3,000,958), and Interest income (\$95,068); Increasing budgeted expenditures by \$3,370,659 and Full-Time Equivalents (FTEs) as follows: Development Review and Inspection (\$47,694) and 4.0 FTEs, Police (\$1,556,353) and 19.0 non-sworn FTEs, Fire (\$289,428) and increasing sworn FTEs by 34.0 from 877 to 911 and increasing cadets by 10 FTEs, Emergency Medical Services (EMS) (\$619,273) and 13.0 FTEs, Public Works and Transportation (\$181,802) and 3.0 FTEs, Health and Human Services (\$191,384) and 4.0 FTEs, Parks and Recreation (\$484,725) and 5.0 FTEs; Increasing budgeted transfers by \$2,007,382 as follows: Capital Improvement Programs (\$1,739,069), Planning, Environmental and Conservation Fund (\$23,000), Support Services Fund (\$32,804) and Vehicle Acquisition Fund (\$212,509); and amending the related funds accordingly. (\$5,378,041 from annexation revenue.)  
**Postponed to April 16, 1998**
43. Amend Ordinance 970917-A, the 1997-98 Operating budget of the Child Safety Fund by: 1) increasing the budgeted beginning balance by \$22,395 to reflect the audited ending balance for 1996-97; 2) increasing budgeted expenditures by \$22,395, related to additional workload associated with annexations.  
**Postponed to April 16, 1998**



44. Amend Ordinance 970917-A, the 1997-98 Operating budget of the Transportation Fund by: 1) increasing Transportation Fee revenues by \$331,260; 2) increasing budgeted expenditures by \$331,260; 3) authorizing 11 additional full-time equivalent employees (FTEs), related to additional workload associated with annexations.  
**Postponed to April 16, 1998**
45. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Watershed Protection Department by appropriating: 1) \$610,000 for capital equipment and creating a new project known as Capital Equipment Additions for annexed areas; and 2) \$100,000 for drainage system evaluation capital facility needs assessments related to annexation.  
**Postponed to April 16, 1998**
46. Amend Ordinance 970917-A, the 1997-98 Operating budget of the Watershed Protection Department by: 1) appropriating Municipal Utility Districts cash balances of \$439,041; 2) increasing Drainage Fee revenues by \$405,232; 3) increasing budgeted expenditures of the Stormwater Management Division by \$438,612; 4) increasing budgeted expenditures of the Environmental Resources Division by \$26,167; 5) increasing the budgeted ending balance by \$379,494; and 6) authorizing 10 additional full time equivalent employees (FTEs), related to additional contractual obligations and workload associated with annexations.  
**Postponed to April 16, 1998**
47. Amend Ordinance 970915-A, the 1997-98 Capital Improvement Budget of the Parks Department by creating two new projects and by appropriating \$160,000 to the Southland Oaks Parks Improvements and \$650,000 to the Tanglewood Park Project to be funded by available Municipal Utility District cash of the Southland Oaks MUD and tax receipts of the Northwest Travis County MUD #1 as part of the annexation plan effective on January 1, 1998.  
**Postponed to April 16, 1998**
48. Amend Ordinance 970915-C to create thirty-four additional firefighter positions. (Funding in the amount of \$439,428 is available from annexation revenues.  
**Postponed to April 16, 1998**
49. Amend Ordinance 970917-A, amending the General Obligation Debt Service Fund, increasing budgeted revenue to recognize annexation related revenue for debt service associated with the drainage portion of bonded indebtedness from annexed Municipal Utility District by \$545,764, and increasing debt service requirements by \$545,764. (Funding is available from property tax collections in the recently annexed areas.)  
**Postponed to April 16, 1998**
50. Amend Ordinance No. 970917-A, the 1997-98 Operating Budget, by transferring \$700,000 from the General Fund Contingency Reserve, transferring \$700,000 to the Support Services Fund and increasing the appropriation for the Law Department by \$700,000 to fund costs associated with outside counsel fees.  
**Postponed to April 16, 1998**

Items 35 through 50 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

#### Development Review

51. C14-97-0083 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 6610 Riverplace Blvd., from "DR", Development Reserve to "LR-CO", Neighborhood Commercial - Conditional Overlay zoning with conditions. First reading on February 12, 1998; Vote 6-1 with Goodman voting "No". Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Four Points Development (John Sanford); Agent: Prossner & Associates (Kurt Prossner). City Staff: Don Perryman, 499-2786.  
**Ordinance No. 980409-J approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 6-1 vote, Councilmember Goodman voting "NO".**
52. C14-97-0126 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 1607 Dessau Ridge Lane, from "DR", Development Reserve to "GR-CO", Community Commercial - Conditional Overlay zoning with conditions. First reading on February 5, 1998; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Desert Partnership (Scott Seers); Agent: Crocker Consultants (Sarah Crocker). City Staff: Don Perryman, 499-2786.  
**Ordinance No. 980409-H approved**
53. C14-97-0137 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 8801 Tuscany Way, from "W/LO", Warehouse/Limited Office and "LI-CO", Limited Industrial Services - Conditional Overlay to "LI-CO", Limited Industrial Services - Conditional Overlay zoning with conditions. First reading on February 26, 1998; Vote 6-0 with Griffith off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: MV Walnut Creek Inc. (Steve Pyhrr); Agent: Faust Group (W. Faust). City Staff: Don Perryman, 499-2786.  
**Ordinance No. 980409-I approved**
54. C14-97-0158 (Tracts 1-36, 40, 43 and 44) - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as approx. 3300' along the west side of Mopac expressway south (Loop 1), approx. 200' north from its intersection of Slaughter Lane West; and approx. 1000' along the South Side of Convict Hill Road, west from its intersection with Beckett Road, previously known as Village of Western Oaks Municipal Utility District, from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "RR-CO", Rural Residence-Conditional Overlay District; "SF-2-CO", Single Family Residence (standard lot)-Conditional Overlay District; "SF-4A-CO", Single Family Residence (small lot)-Conditional Overlay District; "SF-6-CO", Townhouse and Condominium Residence-Conditional Overlay District; "MF-1-CO", Multifamily Residence (limited density)-Conditional Overlay District; "LO-CO" Limited Office-Conditional Overlay District; "LR-CO", Neighborhood Commercial-Conditional Overlay District; "GR-CO", Community Commercial-Conditional Overlay District; and "P-CO", Public-Conditional Overlay District zoning

with conditions. First reading on March 26, 1998; Vote 6-0 with Spelman off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387.

**Approved second reading only**

55. Approve a resolution adopting a letter of intent between the City of Austin, Faison Stone, Inc, and Motorola, Inc. regarding the location of Motorola's new industrial campus and negotiate and execute all appropriate documents and agreements reflecting the terms of the letter of intent. **(Related to Item 56)**

**Resolution No. 980409-55 approved**

56. Amend Ordinance 940317-G establishing a planned development area and an industrial district for approximate 130 acres located adjacent to the intersection of Parmer Lane and the proposed Anderson Mill Road extension to provide for the construction of Anderson Mill Road, waiver of capital recovery fees, construction of water and wastewater lines, provision of electric service and related electric transmission and substation facilities, increasing square footage for buildings, compliance with current drainage and water quality regulations, modification of cut and fill regulations, modification of limited and full purpose annexation provisions, and elimination of payments in lieu of immediate full purpose annexation. **(Related to Item 55)**

**Ordinance No. 980409-K approved**

#### **ITEMS FROM COUNCIL**

57. Approve a resolution supporting the development of the Mexican American Culture Center (MACC) and a feasibility study for Mexic-Arte Museum. (Mayor Pro Tem Gus Garcia and Mayor Kirk Watson)

**Resolution No. 980409-57 approved**

**Items 52 through 57 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

58. Approve a resolution that sets forth policy guidelines to further define the scope for the proposed management team and to reaffirm the Council's commitment to provide health care for Austin's indigent and working poor. (Councilmembers William Spelman and Beverly Griffith)

**Action will be taken in one week**

#### **4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES**

59. C14-97-0091 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2108 to 2110 Thrasher Lane and 6505 to 6601 E. Riverside Drive from "MF-2", Multifamily Residence (low density), "LR", Neighborhood Commercial, and "SF-3", Family

Residence to "MH", Mobile Home Residence. Planning Commission Recommendation: To Grant "MH", Mobile Home Residence District zoning. Applicant: Aus-Tex Parts & Service LLC (Don H. Dempsey); Agent: Jim Bennett. City Staff: Ivan Naranjo, 499-2724. (continued from 10/30/97, 12/11/97, 12/18/97, 1/22/98, 2/12/98)

**Postpone indefinitely**

60. C14-97-0157 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Approx. 4300' along the east and west sides of Brodie Lane, north from its intersection with Frate Barker Road, previously known as Southland Oaks Municipal Utility District No. 1 (Southland Oaks 3) from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "RR", Rural Residence; "SF-1", Single Family Residence (large lot); "SF-2", Single Family Residence (standard lot); "SF-3", Family Residence; "SF-4A", Single Family Residence (small lot); "SF-5", Urban Family Residence; "SF-6", Townhouse and Condominium Residence; "MF-1", Multifamily Residence (limited density); "MF-2", Multifamily Residence (low density); "MF-3", Multifamily Residence (medium density); "MF-4", Multifamily Residence (moderate-high density); "NO" Neighborhood Office; "LO" Limited Office; "GO" General Office; "LR", Neighborhood Commercial; "GR", Community Commercial; "CS", General Commercial Services and "P" Public District. Planning Commission Recommendation: To Grant "SF-1" Single Family Residence (large lot) District; "SF-1-CO" Single Family Residence (large lot)-Conditional Overlay District; "SF-2", Single Family Residence (standard lot) District; "LO" Limited Office District; and "P-CO" Public District zoning with conditions. Applicant: City of Austin, Agent: Development Review and Inspections Department. City Staff: Greg Guernsey, 499-2387. (continued from 3-26-98)

**Approved Planning Commission recommendation, first reading only, tracts 1 & 2 zoned SF-2 because the lots are sized for SF-2 zoning and not SF-1 (recognized private covenants)**

61. C14-97-0158 (Tracts 37, 38, 39, 41 & 42) - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as approx. 3300' along the west side of Mopac expressway south (Loop 1), approx. 200' north from its intersection of Slaughter Lane West; and approx. 1000' along the South Side of Convict Hill Road, west from its intersection with Beckett Road, previously known as Village of Western Oaks Municipal Utility District, from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "RR", Rural Residence; "SF-1", Single Family Residence (large lot); "SF-2", Single Family Residence (standard lot); "SF-3", Family Residence; "SF-4A", Single Family Residence (small lot); "SF-5", Urban Family Residence; "SF-6", Townhouse and Condominium Residence; "MF-1", Multifamily Residence (limited density); "MF-2", Multifamily Residence (low density); "MF-3", Multifamily Residence (medium density); "MF-4", Multifamily Residence (moderate-high density); "NO" Neighborhood Office; "LO" Limited Office; "GO" General Office; "LR", Neighborhood Commercial; "GR", Community Commercial; "CS", General Commercial Services; and "P", Public District. Planning Commission Recommendation (for only Tracts #37, 38, 39, 41 and 42): "SF-2-CO", Single Family Residence (standard lot)-Conditional Overlay District; "SF-6-CO", Townhouse and Condominium Residence-Conditional Overlay District; "P-CO", Public-Conditional Overlay District zoning with conditions. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387. (continued from 3-26-98)

**Approved Planning commission recommendation, first reading only, plus conditions from**

watershed protection regarding critical environmental features.

Items 59 through 61 approved on Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.

62. SP-97-0486C - Public hearing to approve a site plan required by a restrictive covenant for property locally known as 6108 Bolm Road. Existing zoning "LI", Limited Industrial Services District. Planning Commission Recommendation: To approve the site plan. Applicant: G&M Texas, Inc. (Michael W. Gorton); Agent: Insights Unlimited (David Weiss). City Staff: Ivan Naranjo, 499-2724. (continued from 3-26-98)

**Motion to close public hearing on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 5-0 vote, Councilmembers Griffith and Slusher off the dais.**

**Motion to send back to Planning Commission for assessment of compatibility of use next to residences and whether it is appropriate to roll back the LI zoning on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 5-0 vote, Councilmember Griffith and Slusher off the dais.**

63. C14-98-0009 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7311 Albert St. from "DR", Development Reserve to "SF-1", Single Family Residence (Large Lot). Planning Commission Recommendation: To Grant "SF-1", Single Family Residence (Large Lot) zoning. Applicant: Alfonso Espiritu. City Staff: Joe Arriaga, 499-2308.

**Ordinance No. 980409-L approved**

64. C14-98-0010 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 9146 to 9170 Research Blvd. from "CS", General Commercial Services to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services - Conditional Overlay zoning with conditions. Applicant: North Shoal Creek (Robert Oler); Agent: Armbrust, Brown & Davis (Richard Suttle). City Staff: Don Perryman, 499-2786.

**Ordinance No. 980409-M approved**

**Items 63 and 64 approved on Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.**

65. C14-98-0012 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1001 to 1115 E. 12th St. & 1002 to 1016 Catalpa St. from "SF-3", Family Residence; "LO", Limited Office & "CS", General Commercial Services to "CS-MU", General Commercial Services - Mixed Use Combining District. Planning Commission Recommendation: To Grant "CS-MU-CO", General Commercial Services - Mixed Use Combining District - Conditional Overlay zoning with conditions.. Applicant: Anderson Community Development (Gene Watkins); Agent: LDC (Lauretta Dowd). City Staff: Ivan Naranjo, 499-2724.

**Items 65 and 66 taken together, see below.**

66. C14-98-0013 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1400 East 12th Street from "CS", General Commercial Services, to "CS-MU", General Commercial Services - Mixed Use Combining District. Planning Commission Recommendation: To Grant "CS-MU-CO", General Commercial Services - Mixed Use Combining District - Conditional Overlay zoning with conditions. Applicant: Anderson Community Development (Gene Watkins); Agent: LDC (Lauretta Dowd). City Staff: Ivan Naranjo, 499-2724.  
**Motion to close public hearing on Councilmember Griffith, Councilmember Lewis' second, 6-0 vote, Mayor Watson off the dais.**

**Motion by Councilmember Slusher to approve first reading only and approve second and third reading on April 30, after Council hears from the neighborhood and the ARA consultant on Master Plan on Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 4-3 vote, Councilmembers Goodman, Griffith and Lewis voting "NO".**

67. C14-98-0016 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 5410 South 1st Street from "SF-3", Family Residence to "LO", Limited Office. Planning Commission Recommendation: To Grant "NO-CO", Neighborhood Office - Conditional Overlay zoning with conditions. Applicant: Macias and Associates (Carmelo Marcias); Agent: LOC (Sergio Lozano). City Staff: Joe Arriaga, 499-2308.  
**Motion to close public hearing on Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Spelman off the dais.**

**Approve Planning Commission recommendation, first reading only on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Spelman off the dais.**

68. C14-90-0017 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2805 Singlefoot Lane from "SF-2", Single Family Residence (Standard Lot) to "SF-3", Family Residence. Planning Commission Recommendation: To Grant "SF-3", Family Residence zoning. Applicant: Antonio Reyes; Agent: Roel Bazan. City Staff: Joe Arriaga, 499-2308.  
**Ordinance No. 980409-N approved on Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.**

#### PUBLIC HEARINGS

69. 6:00 p.m. - Public hearing to waive the minimum separation distance requirement of City Code Section 8-3-4, for property locally known as 406 Brazos. Existing zoning "CBD", Central Business District. Applicant: Wild Club Inc. (Randy Cuniff). [Councilmember Jackie Goodman]  
**Motion to close public hearing on Councilmember Lewis' motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Garcia and Councilmember Spelman off the dais.**
70. 6:30 p.m. - Public hearing on an ordinance amending the Austin-Bergstrom International Airport Compatible Land Use Zoning Ordinance to amend the Table of Compatible

Land Use Restrictions.

Motion to close public hearing on Councilmember Goodman's motion, Councilmember Griffith's second, 4-0 vote, Mayor Pro Tem Garcia, Councilmembers Slusher and Spelman off the dais.

ACTION ON PUBLIC HEARINGS

71. Approve a resolution waiving the minimum separation distance requirement of City Code Section 8-3-4, for property locally known as 406 Brazos. Existing zoning "CBD", Central Business District. Applicant: Wild Club Inc. (Randy Cuniff). [Councilmember Jackie Goodman]  
Resolution No. 980409-71 approved the waiver on Councilmember Goodman's motion, Councilmember Lewis' second, 5-0 vote, Mayor Pro Tem Garcia and Councilmember Spelman off the dais.
72. Approve an ordinance amending the Austin-Bergstrom International Airport Compatible Land Use Zoning Ordinance to amend the Table of Compatible Land Use Restrictions. (Recommended by Planning Commission)  
Ordinance No. 980409-O approved on Councilmember Goodman's motion, Councilmember Lewis' second, 5-0 vote, Councilmember Slusher and Spelman off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:30 p.m. to 1:40 p.m.

Executive session held at 3:50 p.m. to 5:00 p.m.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Personnel Matters ? Section 551.074

73. Discuss candidates for Municipal court clerk and appropriate compensation.

Private Consultation with Attorney - Section 551.071

74. Discuss issues relating to annexation.
75. Discuss Gloria B. Balazon, Individually and as Personal Representative of the Estate of Enrico A. Balazon, Deceased, and Liberty Balazon-Esperante vs. Brackenridge Hospital, City of Austin and Karen McAnarney, R.N., Cause No. 95-07605, in the Travis County, District Court.

Real Estate Section 551.072

76. Discuss potential acquisition of property for Health and Human Services Department (HHSD) for a Health Clinic.

#### ACTION ON EXECUTIVE SESSION ITEMS

77. Consider settlement proposal in Gloria B. Balazon, Individually and as Personal Representative of the Estate of Enrico A. Balazon, Deceased, and Liberty Balazon-Esperante vs. Brackenridge Hospital, City of Austin and Karen McAnarney, R.N., Cause No. 95-07605, in the Travis County, District Court.

Approved an amount not to exceed \$190,000 on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

78. Approve appointment of Municipal Court Clerk and appropriate compensation.

Appointment of Paul Martin for Municipal Court Clerk with the following compensation package:

1. \$3,038.46 per pay period
2. Car allowance of \$106.15 per pay period
3. Participation in employees retirement system with 7% City contribution
4. Choice of medical and dental plans currently offered to City Employees with a City subsidy equivalent to that provided to City employees
5. \$100,000.00 group term life insurance
6. Long term insurance available for purchase
7. Eight hours sick leave accrual each month
8. 12 hours accrual each month of vacation leave, maximum of 240 hours
9. Paid holidays as designated by the City Council
10. Relocation expense and one house hunting trip

Approved

79. APPOINTMENTS

Child Care Council - ROY RAMIREZ (REAPPOINTMENT) MAYOR WATSON

Community Development Commission - HILBERT MALDONADO (REAPPOINTMENT)  
COUNCILMEMBER GRIFFITH, BOBBIE JOHNSON (REAPPOINTMENT, ST. JOHN'S  
NEIGHBORHOOD REPRESENTATIVE) CONSENSUS

Electrical Board - ROBERT SCHMIDT (REAPPOINTMENT-JOURNEYMAN REPRESENTATIVE)  
MAYOR PRO TEM GARCIA

Environmental Board - HUGH MAYFIELD - COUNCILMEMBER LEWIS

Historic Landmark Commission - TERESA RABAGO - CONSENSUS

Human Rights Commission - DAVID GARZA - CONSENSUS

Mayor's Committee People w/Disabilities - NANCY CROWTHER (REAPPOINTMENT) MAYOR  
WATSON, KRISTIN MILLER (REAPPOINTMENT) MAYOR WATSON, DON SHEFFIELD - MAYOR  
WATSON

MBE/WBE Advisory Committee - CLIFTON KNEZEK (REAPPOINTMENT, TRADE ASSOCIATION  
REPRESENTATIVE) CONSENSUS

Medical Assistance Program Advisory Board - DR. NANA LOPEZ (DENTIST REPRESENTATIVE)  
CONSENSUS, MARY SELLERS (MEDICAL ASSISTANCE PROGRAM USER) CONSENSUS



Urban Forestry Board - MARK BAKER - COUNCILMEMBER SLUSHER, DENNIS BROWN -  
COUNCILMEMBER GRIFFITH, JEFFLYN DAVIS - COUNCILMEMBER GOODMAN  
Urban Transportation Commission - MICHAEL ZAKES - COUNCILMEMBER LEWIS  
Approved

Items 78 and 79 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second,  
7-0 vote.

ADJOURNED at 7:35 p.m. on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0  
vote.

Minutes for March 26, 1998, April 8, 1998 and April 9, 1998 approved, on this the 16<sup>th</sup> day of April, 1998,  
minutes for March 25, 1998 postponed on Mayor Pro Tem Garcia's motion, Councilmember Griffith's  
second, 6-0 vote, Councilmember Lewis off the dais.